WATERSHED WORK PLAN

Upper Llagas Creek

Santa Clara County, California September 1967

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MANUALLY SIGNED

WATERSHED WORK PLAN AGREEMENT

between the

LOMA PRIETA SOIL CONSERVATION DISTRICT

Local Organization

SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT

Local Organization

SOUTH SANTA CLARA VALLEY WATER CONSERVATION DISTRICT

Local Organization

(hereinafter referred to as Sponsoring Local Organizations)

State of California

and the

SOIL CONSERVATION SERVICE

UNITED STATES DEPARTMENT OF AGRICULTURE

(hereinafter referred to as the Service)

WHEREAS, application has heretofore been made to the Secretary of Agriculture by the Sponsoring Local Organizations for assistance in preparing a plan for works of improvement for the Upper Llagas Creek Watershed, State of California, under the authority of the Watershed Protection and Flood Prevention Act (Public Law 566; 83rd Congress, 68 Stat. 666) as amended; and

WHEREAS, the responsibility for administration of the Watershed Protection and Flood Prevention Act, as amended, has been assigned by the Secretary of Agriculture to the Service; and

WHEREAS, there has been developed through the cooperative efforts of the Sponsoring Local Organizations and the Service a mutually satisfactory plan for works of improvement for the Upper Llagas Creek Watershed, State of California, hereinafter referred to as the watershed work plan, which plan is annexed to and made a part of this agreement.

NOW THEREFORE, in view of the foregoing considerations, the Sponsoring Local Organizations and the Secretary of Agriculture, through the Service, hereby agree on the watershed work plan, and further agree that the works of improvement as set forth in said plan can be installed in about seven years.

It is mutually agreed that in installing and operating and maintaining the works of improvement substantially in accordance with the terms, conditions, and stipulations provided for in the watershed work plan:

1. The Sponsoring Local Organizations will acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with the works of improvement. (Estimated cost - $2,095,400)

2. The Santa Clara County Flood Control and Water District will acquire or provide assurance that landowners or water users have acquired such water rights pursuant to State law as may be needed in the installation and operation of works of improvement.

3. The percentages of construction costs of structural measures to be paid by the Sponsoring Local Organizations and by the Service are as follows:

Works of Improvement	Sponsoring Local Organization (Percent)	Service (Percent)	Estimated Construction Cost (Dollars)
Structures for Flood prevention	0	100	2,599,900
Relocation of outlet works intake structures for Chesbro Dam.	50	50	23,400
Little Llagas Creek low flow diversion	50	50	15,000

4. The Service will bear the cost of all installation services associated with works of improvement. (Estimated cost - $598,500)

5. The Santa Clara County Flood Control and Water District will pay the State dam filing fees and will bear the cost of administration of contracts. (Estimated cost - $31,300)

6. The Loma Prieta Soil Conservation District will obtain agreements from owners of not less than 50% of the land above Chesbro Reservoir that will carry out conservation farm or ranch plans on their land.

7. The Loma Prieta Soil Conservation District will provide assistance to landowners and operators to assure the installation of the land treatment measures shown in the watershed work plan.

8. The Loma Prieta Soil Conservation District will encourage landowners and operators to operate and maintain the land treatment measures for the protection and improvement of the watershed.

9. The Santa Clara County Flood Control and Water District will be responsible for the operation and maintenance of the structural works of improvement by actually performing the work or arranging for such work in accordance with agreements to be entered into prior to issuing invitations to bid for construction work.

10. The costs shown in this agreement represent preliminary estimates. In finally determining the costs to be borne by the parties hereto, the actual costs incurred in the installation of works of improvement will be used.

11. This agreement does not constitute a financial document to serve as a basis for the obligation of Federal funds, and financial and other assistance to be furnished by the Service in carrying out the watershed work plan is contingent on the appropriation of funds for this purpose.

    Where there is a Federal contribution to the construction cost of works of improvement, a separate agreement in connection with each construction contract will be entered into between the Service and the Sponsoring Local Organizations prior to the issuance of the invitation to bid. Such agreement will set forth in detail the financial and working arrangements and other conditions that are applicable to the specific works of improvement.

12. The watershed work plan may be amended or revised, and this agreement may be modified or terminated, only by mutual agreement of the parties hereto.

13. The program conducted will be in compliance with all requirements respecting non-discrimination as contained in the Civil Rights Act of 1964 and the regulations of the Secretary of Agriculture (C.F.R. Sec. 15.1-15.13), which provide that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any activity receiving Federal financial assistance.

14. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

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LOMA PRIETA SOIL CONSERVATION DISTRICT

By Jefferson M. Parrish

Title President

Date Jan 12, 1968

The signing of this agreement was authorized by a resolution of the governing body of the Loma Prieta Soil Conservation District, adopted at a meeting held on Jan. 12, 1968.

Ernest Bellemo

(Secretary - Loma Prieta Soil Conservation District)

Date 1/12/68

SOUTH SANTA CLARA VALLEY WATER CONSERVATION DISTRICT

By [illegible]

Title President

Date January 12, 1968

The signing of this agreement was authorized by a resolution of the governing body of the South Santa Clara Valley Water Conservation District, adopted at a meeting held on January 12, 1968.

Sydney S. Johnson

(Secretary - South Santa Clara Valley Water Conservation District)

Date January 12, 1968.

SANTA CLARA COUNTY FLOOD CONTROL AND
WATER DISTRICT

By R. A. Mehrkens

Title Chairman of the Board of Supervisors

Date JAN 23 1968

The signing of this agreement was authorized by a resolution of the governing body of the Santa Clara County Flood Control and Water District, adopted at a meeting held on JAN 23 1968.

Jean Prudhon
(Secretary - Santa Clara County Flood
Control and Water District)

Date JAN 23 1968

SOIL CONSERVATION SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

By Kenneth E. Grant
Acting Administrator

Date MAY 28 1968